



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/658,654

09/09/2003

Michael D. Hamerski

56127US008

1976

32692

7590

12/18/2006

3M INNOVATIVE PROPERTIES COMPANY

PO BOX 33427

ST. PAUL, MN 55133-3427

EXAMINER

KING, ANITA M

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 12/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/658,654

Applicant(s)

HAMERSKI, MICHAEL D.

Examiner

Anita M. King

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-20 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 5, 7 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3632

This is a non-final office action for application number 10/658,654, Hanger, filed on September 10, 2003. Claims 1-20 are pending.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2, 4, 6, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,606,666 to Patton. Patton discloses a hanger capable of supporting one or more sheets of paper on a generally vertical surface, the hanger comprising: a base (14) having a supported surface; an opposite outer surface; an elongate peg (18) having a longitudinal axis and first and second longitudinally spaced ends, a portion of the peg adjacent the first end being mounted on the base in a use position with the axis of the peg being generally at a right angle with respect to the supported surface, and a major portion of the peg adjacent the second end projecting from the outer surface, the major portion of the peg having a diameter of less than about 0.17 inch, having a generally uniform cross sectional area along its length, and having an axially extending surface portion, wherein only the axially extending surface portion of the peg is capable of restricting free movement of sheets of paper around the peg axially of the peg; wherein the axially extending surface portion of the peg defines closely spaced sharp edges (22) that are adapted to restrict free movement of the sheets of paper around the peg axially of the peg; wherein the peg is serrated to form peaks having the sharp

Art Unit: 3632

edges; wherein the peg has axially spaced transverse ridges only on the axially extending surface portion; and wherein the second end of the peg is pointed (20).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patton in view of U.S. Patent 6,074,147 to Shu. Patton discloses the claimed invention except for the limitation of the sharp edges being defined by machine screw threads extending around the axis of the peg. Shu teaches a peg (32) having an axially extending surface portion defining closely spaced sharp edges, the edges are defined by screw threads extending around the axis of the peg, wherein the peg is serrated to form peaks having the sharp edges, and wherein the peg is pointed (@34). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the peg in Patton to have included the screw threads as taught by Shu for the purpose of providing an alternative and mechanically equivalent means for retaining the sheets of paper on the peg.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patton. Patton discloses the claimed invention except for the limitations of major portion of the peg being a distance in a range of about 0.15 to 0.30 inches from the base and the peg having a diameter of about 0.11 inches. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the

Art Unit: 3632

distance of the major portion extending from the outer surface of the base to have been between 0.15 to 0.30 inches for the purpose of providing a definite distance and since such a modification would have not produced any unexpected results because the predetermined distance of the major portion in regards to the outer surface in Patton is capable of accommodating a plurality of sheets of paper and to lengthen the major portion would just provide a means for accommodating a greater amount of sheets of paper.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patton in view of U.S. Patent 3,637, 181 to Janssen and in further view of U.S. Patent 6,106,937 to Hamerski. Patton discloses the claimed invention except for the limitation of a length of stretch release adhesive adhered to the supported surface of the base. Janssen teaches a hanger (32) having a peg (34) attached to a base (33) and the base having a supported surface including a length of adhesive (11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the hanger in Patton to have included the adhesive coating as taught by Janssen for the purpose of providing a well known means for attaching the hanger to a vertical surface. Hamerski teaches a mounted device (Fig. 14) including a base (406) having a supported surface (410) with a length of stretch release adhesive (408) adhered thereto. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the supported surface in Patton combined with Janssen to have included the length of stretch adhesive as taught by Hamerski as opposed to the coating or powered fuel in Janssen for the purpose of providing an

Art Unit: 3632

alternative, mechanically equivalent means for mounting the hanger on a vertical surface.

Allowable Subject Matter

Claims 5, 7 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 13-20 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6, 8, and 9-11 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Anita M. King
Primary Examiner
Art Unit 3632

December 11, 2006